

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Pentech Financial Services, Inc.,

NO. 09-mc-80014 JW

Plaintiff,

v.

Troy A. Sibson, et al.,


Defendants.

**ORDER DENYING *EX PARTE* MOTION
FOR ORDER DIRECTING EXECUTION
ON ASSETS OF JUDGMENT DEBTOR
AND APPOINTING JUDGMENT
CREDITOR CUSTODIAN OF PROPERTY
WITHOUT PREJUDICE TO BE
RENEWED**

Presently before the Court is Plaintiff and Judgment Creditor's *Ex Parte* Motion for an Order Directing Execution on Assets of Judgment Debtor. (See Docket Item No. 5.) Judgment Creditor seeks to have the United States Marshals act on a writ of execution issued by the Clerk of Court on February 9, 2009. (See Docket Item No. 5.) As Judgment Creditor concedes, however, the February 9, 2009 writ of execution is directed to the County of Santa Clara. (See Docket Item No. 2.)

Accordingly, the Court DENIES Judgment Creditor's *Ex Parte* Motion for Order Directing Execution without prejudice to be renewed after a properly directed writ has been issued by the Clerk of Court.

Dated: February 20, 2009



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 daphnew@pentechfinancial.com

3 Troy A. Sibson
2325 Farm District Road
4 Fernley, NV 89408

5 **Dated: February 20, 2009**

Richard W. Wieking, Clerk

7 **By: /s/ JW Chambers**
8 **Elizabeth Garcia**
9 **Courtroom Deputy**